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10 Attorneys for Plaintiff
11 HEWLETT-PACKARD COMPANY

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 SONY COMPUTER ENTERTAINMENT
AMERICA INC., SONY ELECTRONICS
18 INC., TOSHIBA AMERICA
INFORMATION SYSTEMS, INC.,
19 HEWLETT-PACKARD COMPANY, AND
LENOVO (UNITED STATES) INC.

20 Plaintiffs,

21 v.

22 WI-LAN, INC.,

23 Defendant.
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Case No. 5:08-cv-05742-JW

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF HEWLETT-
PACKARD COMPANY'S COMPLAINT
FOR DECLARATORY JUDGMENT**

1 Plaintiff Hewlett-Packard Company ("HP"), by and through its undersigned counsel,
2 hereby gives notice pursuant to Fed. R. Civ. P. 41(a)(1) as follows:

3 WHEREAS, on December 23, 2008, HP filed a Complaint for Declaratory Judgment,
4 alleging, among other things, non-infringement, invalidity and unenforceability of U.S. Patent No.
5 6,549,759 ("the '759 patent");

6 WHEREAS, Defendant, Wi-LAN Inc. has not answered or moved for summary judgment;
7 and

8 WHEREAS, HP is willing to voluntarily dismiss without prejudice its Complaint for
9 Declaratory Judgment as to the '759 patent;

10 HP HEREBY GIVES NOTICE of its voluntary dismissal without prejudice of its
11 Complaint for Declaratory Judgment seeking a declaration of non-infringement, invalidity and
12 unenforceability of the '759 patent.

13
14 DATED: June 24, 2009

Respectfully submitted,

15 MORGAN, LEWIS and BOCKIUS LLP

16 MICHAEL J. LYONS (State Bar No. 202284)
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19 By /s/ Michael J. Lyons
Michael J. Lyons

20 Attorneys for Plaintiff
21 HEWLETT-PACKARD COMPANY
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24 PURSUANT TO NOTICE, IT IS SO ORDERED.

25 The Clerk shall terminate Plaintiff Hewlett-Packard Co. from the Docket.

26 Dated: July 1, 2009

27 
Hon. James Ware
28 United States District Judge